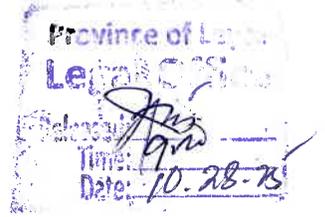




Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE



Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: OCT 29 2025
By: [Signature]

2nd INDORSEMENT
October 17, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2025-11 of the Sangguniang Bayan of Albuera, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2025-11: “An Ordinance reclassifying a 700-square meter property, Lot No. 6254-D-2-C, owned by spouses Ian and Karen Gutierrez, located at Brgy. Mahayag, Albuera, Leyte from commercial zone to residential zone .”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(2)(viii)¹ of the Local Government Code of 1991 (R.A 7160). Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹((viii) Reclassify land within the jurisdiction of the municipality, subject to the pertinent provisions of this Code;

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-o0o-

9:45 AM
10-16-25

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
13 October 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2025-11** of the **Municipality of Albuera, Leyte**, entitled: **An Ordinance reclassifying a 700-square meter real property, Lot No. 6254-D-2-C, owned by spouses Ian Gutierrez and Karen Gutierrez, located at Barangay Mahayag, Albuera, Leyte from commercial zone to residential zone.**


FLORINDA JILLS UYVICO
Secretary to the Sangguniang

--	--	--	--	--



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN SECRETARIAT

TRANSMITTAL

October 9, 2025

Hon. Leonardo Javier, Jr.
Vice-Governor
Province of Leyte
Palo, Leyte



Thru: Florinda Jill S. Uyvico
Secretary to the Sanggunian
Province of Leyte

Dear Vice Governor Javier:

Respectfully transmitting herein **Ordinance No. 2025-11**, An Ordinance Reclassifying a 700-Square Meter Real Property, Lot No. 6254-D-2-C, Owned by Spouses Ian Gutierrez and Karen Gutierrez, located at Barangay Mahayag, Albuera, Leyte from Commercial Zone to Residential Zone.

Please acknowledge receipt hereof.

Very truly yours,


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

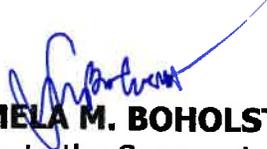
OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO THE CONCERNED:

THIS IS TO CERTIFY that **Ordinance No. 2025-11, "An Ordinance Reclassifying a 700-Square-Meter Real Property, Lot No. 6254-D-2-C, Owned by Spouses Ian Gutierrez and Karen Gutierrez, Located at Barangay Mahayag, Albuera, Leyte from Commercial Zone to Residential Zone,"** has been posted in the bulletin board of the Sangguniang Bayan of Albuera, Leyte on October 8, 2025, 2025 and shall remain posted until a period of two (2) consecutive weeks thereof.

ISSUED this 8th day of October 2025 at Albuera, Leyte, Philippines.


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 12TH REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN OF ALBUERA, HELD AT THE SESSION HALL ON SEPTEMBER 29, 2025

ORDINANCE NO. 2025-11

AN ORDINANCE RECLASSIFYING A 700-SQUARE-METER REAL PROPERTY, LOT NO. 6254-D-2-C, OWNED BY SPOUSES IAN GUTIERREZ AND KAREN GUTIERREZ, LOCATED AT BARANGAY MAHAYAG, ALBUERA, LEYTE FROM COMMERCIAL ZONE TO RESIDENTIAL ZONE

INTRODUCED BY: HON. CARL KEVIN E. BATISTIS

Sponsored by: COMMITTEE ON GOOD GOVERNANCE PUBLIC ETHICS & ACCOUNTABILITY

- HON. ALBERTO C. SUMALJAG
- HON. ROMEO M. JUNCO

PREFATORY STATEMENT

WHEREAS, the Municipality of Albuera, Leyte recognizes the need to ensure that land use aligns with the evolving needs of the community and promotes sustainable development;

WHEREAS, a parcel of land measuring approximately 700-square-meters, located at Barangay Mahayag, Albuera, Leyte, identified as **Lot No. 6254-D-2-C**, is currently classified as part of a commercial zone under the existing Zoning Ordinance of Albuera, Leyte;

WHEREAS, the owners of the said real property, Mr. Ian Gutierrez and Mrs. Karen Gutierrez, have formally requested the reclassification of the subject parcel of land from commercial to residential use to better serve their need to build their house in the area;

WHEREAS, a thorough evaluation conducted by the Municipal Planning and Development Office determined that the reclassification of the subject parcel is consistent with the Comprehensive Land Use Plan and will not adversely impact the adjacent areas;

WHEREAS, a public hearing was conducted on September 18, 2025, in accordance with the provisions of Republic Act No. 7160 or Local Government Code, where stakeholders and community members were given the opportunity to express their views on the proposed reclassification;

WHEREAS, after due deliberation, the Sangguniang Bayan, finds that the reclassification of the subject parcel will promote the general welfare and is in the best interest of the community;

NOW, THEREFORE, be it ordained by the Sangguniang Bayan of the Municipality of Albuera, Leyte, in session assembled, that:

SECTION 1. AUTHORITY TO RECLASSIFY. Section 20 of RA 7160 (LGC) provides that "a city or municipality may, through an ordinance passed by the Sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial, or industrial purposes, as determined by the Sanggunian concerned."

ALBERTO C. SUMALJAG

ROBERTO C. COLASITO

ROMEO M. JUNCO

ANDRES C. TUDIO

DELAIDA BATISTIS

BERNARD JOSE D. MESTULA

PAMELA M. BOHOLST

ROLAN E. ESPINOSA

MARIEL E. MARINAY

CARL KEVIN E. BATISTIS

ROLANDO M. EBCAS, JR.

JOLEE YBANEZ

RODOLFO S. BILBAO, JR.

SECTION 2. RECLASSIFICATION. The 700-square-meter parcel of land under Lot No. 6254-D-2-C-part, located at Barangay Mahayag, Albuera, Leyte is hereby reclassified from Commercial Zone to Residential Zone.

EXISTING AND PROPOSED LAND USE AREA (CLUP 2022-2031)

Land Use Category	Sub-Categories	Increased Area Reclassified (in Has.) as per approved CLUP 2022-2031 (Old Area)	Increased Area Reclassified (in Has.) as per approved CLUP 2022-2031 (New Area as August 14, 2025)	Proposed Area for Reclassification (in Has.) (Special Reclassification)	Remarks/Comments
Urban Use Area	Residential	213.6818	213.7518	2.4466	Residential - 4PH (Brgy. Balugo) (May 17, 2024 -date Certification OMA) – with Approved Ordinance August 14, 2025 (Application from Commercial to Residential)
	Commercial	50.8037	50.7337	0.0700	
	Institutional	8.8347	8.8347		
	Parks & Recreation	2.0741	2.0741		
	Socialized Housing	6.1403	6.1403		
	Infrastructure/utilities/ Services	33.1072	33.1072		
	Total Urban Area	314.6418	314.6418	2.4466	
Other Categories	Agri-Industrial Area	2.7698	2.7698		
	Industrial	90.5739	90.5739	1.0000	Industrial - Catingub (Malitbog, Poblacion) (August 19,2024 – date Certification OMA) – with approved Ordinance
	Tourism (Eco-Tourism)	7.8420	7.8420		
	Cemetery/Memorial Park	2.6970	2.6970		
	Total Other Categories Uses	103.8827	103.8827	1.0000	
	Total Proposed Reclassification	418.5245	418.5245	3.4466	421.9711

Total Agricultural Area per the approved CLUP 2022-2031 – 7,471.4192 has.
 Total proposed Area for Reclassification CLUP + Special Reclassification – 421.9711 has.
 which is 5.65% of the Total Agricultural area.

ALBERTO D. SUMALJAG
 ROBERTO C. COLASITO
 ROMEO M. JUNCO
 ANDRES G. TUBIG
 DELFIN B. BASTIS
 BERNARD JOEY D. MESTULA
 PAMELA M. BOHOLST

ROLAN E. ESPINOSA
 MARIEL E. MARINAY
 CARL KEVIN E. BASTIS
 ROY ANDREW E. ERGAS, JR.
 JOE B. YEANEZ
 RODOLFO S. PILLAO, JR.

SECTION 3. MANNER OF UTILIZATION. The subject land shall be strictly utilized in accordance with the Municipal Zoning Ordinance of Albuera, Leyte and other applicable laws, rules and regulations.

SECTION 4. CONVERSION. This ordinance shall not be construed as a conversion order.

SECTION 5. EFFECTIVITY. This ordinance shall take effect upon approval.

APPROVED.

ENACTED BY THE 12TH SANGGUNIANG BAYAN OF ALBUERA, LEYTE DURING ITS 12TH REGULAR SESSION HELD ON SEPTEMBER 29, 2025 AT THE SB SESSION HALL, ALBUERA, LEYTE.

ATTESTED AND CERTIFIED TO BE DULY ADOPTED:


CARL KEVIN E. BATISTIS
SB Member I


ALBERTO C. SUMALJAG
SB Member I


ROLANDO M. EBCAS, JR.
SB Member I

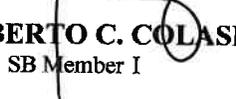

ROMEO M. JUNCO
SB Member I

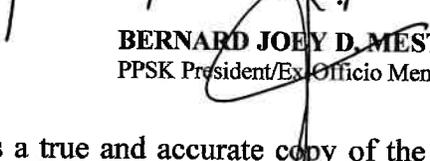

JOJE B. YBANEZ
SB Member I


ANDRES C. TUDIO
SB Member I

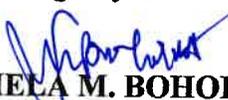

RODOLFO S. BILBAO, JR.
SB Member


DELIA LABATISTAS
LnB President/Ex-Officio Member


ROBERTO C. COLASITO
SB Member I

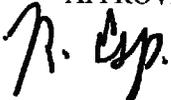

BERNARD JOEY D. MESTULA
PPSK President/Ex-Officio Member

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly enacted by the 12TH Sangguniang Bayan of Albuera, Leyte on its 12th Regular Session on September 29, 2025 at the Sangguniang Bayan Session Hall.


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I


MARIEL E. MARINAY
Municipal Vice-Mayor I/Presiding Officer

APPROVED:


ROLAN E. ESPINOSA
Municipal Mayor

Date: OCT 07 2025



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN
ATTENDANCE SHEET

12th REGULAR SESSION
of the 12th Sangguniang Bayan

SB Session Hall
Venue

September 29, 2025

No.	Name & Designation	Signature
1	Hon. MARIEL E. MARINAY Mun. Vice Mayor / Presiding Officer	
2	Hon. CARL KEVIN E. BATISTIS SB Member	
3	Hon. ROLANDO M. EBCAS JR. SB Member	
4	Hon. JOJIE B. YBAÑEZ SB Member	
5	Hon. RODOLFO S. BILBAO JR. SB Member	
6	Hon. ALBERTO C. SUMALJAG SB Member	
7	Hon. ROBERTO C. COLASITO SB Member	
8	Hon. ROMEO M. JUNCO SB Member	
9	Hon. ANDRES C. TUDIO SB Member	
10	Hon. DELIA E. BATISTIS ABC President, Ex-Officio	
11	Hon. BERNARD JOEY D. MESTULA SK Federation President, Ex-Officio	

CERTIFICATION

I hereby certify that those who have affixed their signatures above, have actually attended the 12th Regular Session of the 12th Sangguniang Bayan of Albuera, Leyte, held at the SB Session Hall on September 29, 2025

PAMELA M. BOHOLST
Secretary to the Sanggunian Bayan